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NOMINATIONS TO THE DEPARTMENT OF COMMERCE

HEARING

BEFORE THE

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION UNITED STATES SENATE

ONE HUNDRED TENTH CONGRESS

SECOND SESSION

MAY 1, 2008

Printed for the use of the Committee on Commerce, Science, and Transportation

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ONE HUNDRED TENTH CONGRESS

SECOND SESSION

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CONTENTS

	Page
Hearing held on May 1, 2008	1
Statement of Senator Stevens	1
Prepared statements submitted by Senator Stevens:	
Collins, Hon. Susan M., U.S. Senator from Maine	9
Snowe, Hon. Olympia J., U.S. Senator from Maine	1

WITNESSES

Brennan, Dr. William J., Nominee to be Assistant Secretary for Oceans and Atmosphere, United States Department of Commerce	10
Prepared statement	12
Biographical information	13
Claffee, Lily Fu, Nominee to be General Counsel, United States Department of Commerce	2
Prepared statement	4
Biographical information	4

NOMINATIONS TO THE DEPARTMENT OF COMMERCE

THURSDAY, MAY 1, 2008

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Washington, DC.

The Committee met, pursuant to notice, at 2:30 p.m. in the Russell Senate Office Building, Room 253, Hon. Ted Stevens, presiding.

OPENING STATEMENT OF HON. TED STEVENS, U.S. SENATOR FROM ALASKA

Senator STEVENS. Good afternoon. I'm grateful to the Chairman for asking me to chair this hearing so that we might have the opportunity to present these nominations to the floor as soon as possible. We know the jurisdiction of the Commerce Department is extensive, ranging from development of telecommunications and information policy issues to the state of fisheries and the oceans, and the Department is launching many challenging initiatives in all of the areas of its expertise, including NOAA.

I know Senator Snowe would like to be here today. She's asked me to pass along her regrets in particular to you, Dr. Brennan. Her presence is required at the mark-up of another Committee where I should be, also, but she's asked the Chairman to introduce her statement in the record and it will be introduced in the record.

[The prepared statement of Senator Snowe follows:]

PREPARED STATEMENT OF HON. OLYMPIA J. SNOWE, U.S. SENATOR FROM MAINE

Thank you, Mr. Chairman, and let me express my sincere appreciation to you for your timely consideration and scheduling of this hearing for the nominee for Assistant Secretary of Commerce for Oceans and Atmosphere.

Mr. Chairman, Vice Chairman Stevens, other Members of the Committee, I am pleased to introduce and speak on behalf of the President's nominee to be Assistant Secretary for Oceans and Atmosphere, Dr. William J. Brennan, an individual uniquely suited to address the vast array of issues encompassed by this position. And I also want to welcome here today his wonderful family—his wife, Heather, and their children, William, Tyler, and Hayley. I know this is a proud moment for them as well.

A scan of Dr. Brennan's resume reads like a wish-list of experience one would hope to find in a nominee for the number two position at NOAA. He holds a Bachelor's degree in Marine Biology, a Master's in Marine Affairs, and a Ph.D. in Ecology and Environmental Sciences. For eight years, he served as Commissioner of Maine's Department of Marine Resources during the Administration of my husband, Governor John McKernan. And he has worked for NOAA at both micro and macro levels—as a marine fisheries scientist early in his career, and most recently as Deputy Assistant Secretary for International Affairs, and Acting Director of the Climate Change Science Program.

His exemplary work in these offices combines with an appreciation for our oceans born of a lifetime spent along the coast of Maine. This was never more readily apparent than during his tenure as our Commissioner of Marine Resources. Faced with a declining budget, he still managed to maintain and even enhance critical services, while leveraging support to construct a $10 million state-of-the-art marine research facility which has led to vast improvements in the management of Maine's lobster and shellfish industries and increased ocean literacy throughout the state. As NOAA's Director of International Affairs, Bill reinvigorated NOAA's international programs, scoring major victories for U.S. foreign policy through stronger high seas fishing regulations, prevention of the resumption of commercial whaling, and establishment of the Global Earth Observation System of Systems.

Most recently, in 2006, Bill took over as Acting Director of the Climate Change Science Program, a $1.7 billion undertaking spanning *thirteen* Federal agencies. I think everyone in this room understands the degree of difficulty involved in convincing even two branches of the Federal Government to work in tandem. But under his leadership, the CCSP is on track to issue sixteen reports—some as much as 3 years past due—by the end of the year, and a comprehensive Scientific Assessment—which was last updated in 2000—by the end of this month.

If confirmed, Bill will provide over thirty years of background in marine science, legislative process, leadership, and oversight at a time when NOAA faces a broad spectrum of challenges, from implementation of the Magnuson-Stevens Reauthorization Act to developing policies for mitigation of and adaptation to the impending impacts of global climate change. He has a documented history of implementing sensible, efficient policies to manage the invaluable resources and incalculable splendor of our oceans. I have no doubt that this level of service will continue as Assistant Secretary of Commerce for Oceans and Atmosphere.

Again, I want to commend the Committee for holding this hearing and I appreciate your consideration of William Brennan for Assistant Secretary of Commerce for Oceans and Atmosphere. Thank you, Mr. Chairman.

Senator STEVENS. And we're pleased to have you here, Ms. Claffee. So I would like to begin with you, Ms. Claffee, to be nominated to be the General Counsel of the Department of Commerce.

Do you have a statement you wish to make?

STATEMENT OF LILY FU CLAFFEE, NOMINEE TO BE GENERAL COUNSEL, UNITED STATES DEPARTMENT OF COMMERCE

Ms. CLAFEE. Thank you, Mr. Vice Chairman. I'm honored to appear before you today as the President's nominee to serve as the next General Counsel of the United States Department of Commerce.

I'm grateful for the opportunity that President Bush has given to me to continue serving the American people, and I deeply appreciate the confidence and support shown to me by Secretary Gutierrez. I also wish to extend a sincere word of thanks to this Committee and to its staff for the courtesies that you have extended me throughout this process.

The General Counsel of the Department of Commerce serves as the agency's chief legal officer, providing legal advice and guidance to the Secretary and other senior Commerce officials as they further the core mission of the Department, namely, to serve the American people by helping to create the right conditions for economic growth and expanded opportunity.

The breadth of the Department's responsibilities and activities is reflected in the complex legal environment within which the Department must operate. Handling the wide range of issues faced daily in the Department, from regulation of international trade to management of marine fisheries to numerous scientific, environmental, technological and economic endeavors, is a formidable challenge but it is one that I welcome.

If I'm confirmed by the Senate, I would bring valuable experience and knowledge to the position of General Counsel. In my nearly 15 years of law practice, I've had the privilege of serving in a number of public and private sector positions, first as a law clerk to a Federal appellate judge, as an associate, then later as a litigation partner in the global law firm now known as Mayer Brown, LLP, handling complex antitrust matters.

I was a hiring partner of that firm's 200-attorney Washington office. As a Deputy Associate Attorney General at the Department of Justice overseeing several major litigating components, and currently, as the deputy general counsel of the Department of the Treasury where, along with the general counsel, I oversee a legal division of nearly 2,000 attorneys.

Each of these positions has helped provide me with the skills and experience necessary to lead and manage the work of a large legal organization charged with a vast array of programmatic responsibilities.

My government service over the last 3 years in particular has given me broad exposure to the functioning of Federal agencies, their relationship with Congress, and the importance of having strong and independent Inspectors General.

Yet I know I have much to learn about the Commerce Department and the laws and regulations that govern its operations. As I learn, I know I will be well supported by a deep staff of talented career lawyers and other professionals. I am confident that, with their support, I will be able to perform my duties with the skill and professionalism that the President, the Members of this Committee, Secretary Gutierrez and the public expect and deserve.

In particular, the General Counsel serves no more important role than the chief ethics officer for the Department. Secretary Gutierrez has already requested that during my tenure, I continue to make this responsibility a top priority of the Department.

In conclusion, let me affirm my belief that stewardship through public service is a special privilege and responsibility and that it is a lawyer's highest calling. Nowhere have I learned this lesson more vividly than from my immigrant parents who, having left their homes and families behind in China many decades ago in search of the American dream, felt a particular responsibility to impress upon their American-born daughter how precious the blessings of liberty and opportunity are that they found in this great land.

They and in particular my father, who as a young airman in China, fought in the Second World War with men like the Chairman and the Vice Chairman to preserve a heritage of freedom, keenly understood the importance of service to one's nation.

If confirmed, I will commit my utmost ability, integrity and devotion to serving the president and the American people.

Thank you again, Mr. Vice Chairman, for the opportunity to appear before you today and for your consideration of my nomination, and I would be pleased to take any questions that you may have.

[The prepared statement and biographical information of Ms. Claffee follow:]

PREPARED STATEMENT OF LILY FU CLAFFEE, NOMINEE TO BE GENERAL COUNSEL, UNITED STATES DEPARTMENT OF COMMERCE

Mr. Chairman, Mr. Vice Chairman, Members of the Committee,

I am honored to appear before you today as the President's nominee to serve as the next General Counsel of the United States Department of Commerce. I am grateful for the opportunity that President Bush has given me to continue serving the American people, and I deeply appreciate the confidence and support shown to me by Secretary Gutierrez. I also wish to extend a sincere word of thanks to this Committee and to its staff for the courtesies they have extended to me throughout this process.

The General Counsel of the Department of Commerce serves as the agency's chief legal officer, providing legal advice and guidance to the Secretary and other senior Commerce officials as they further the core mission of the Department—namely, to serve the American people by helping to create the right conditions for economic growth and expanded opportunity. The breadth of the Department's responsibilities and activities is reflected in the complex legal environment within which the Department must operate. Handling the wide range of issues faced daily in the Department—from regulation of international trade to management of marine fisheries to numerous scientific, environmental, technological, and economic endeavors—is a formidable challenge, but one that I welcome.

If confirmed by the Senate, I would bring valuable experience and knowledge to the position of General Counsel. In my nearly 15 years of law practice, I have had the privilege of serving in a number of public and private sector positions: as a law clerk to a Federal appellate judge, as litigation partner in the global law firm now known as Mayer Brown LLP handling complex antitrust matters, as hiring partner of that firm's 200-attorney Washington office, as a Deputy Associate Attorney General at the Department of Justice overseeing several major litigating components, and currently as the Deputy General Counsel of the Department of the Treasury where, along with the General Counsel, I oversee a legal division of nearly 2,000 attorneys. Each of these positions has helped provide me with the skills and experience necessary to lead and manage the work of a large legal organization charged with a vast array of programmatic responsibilities. My government service over the last 3 years in particular has given me broad exposure to the functioning of Federal agencies, their relationship with Congress, and the importance of having strong and independent Inspectors General.

Yet I know I have much to learn about the Department, and the laws and regulations that govern its operations. As I learn, I know I will be well supported by a deep staff of talented career lawyers and other professionals. I am confident that, with their support, I will perform my duties with the skill and professionalism that the President, the Members of this Committee, Secretary Gutierrez, and the public expect and deserve. In particular, the General Counsel serves no more important role than as chief ethics lawyer for the Department. Secretary Gutierrez has already requested that, during my tenure, I continue to make this responsibility a top priority for the Department.

In conclusion, let me affirm my belief that stewardship through public service is a special privilege and responsibility, and that it is a lawyer's highest calling. Nowhere have I learned this lesson more vividly than from my immigrant parents who, having left their homes and families behind in China many decades ago in search of the American dream, felt a particular responsibility to impress upon their American-born daughter how precious the blessings of liberty and opportunity are that they found in this great land. They, and in particular, my father, who as a young airman in China fought in the Second World War with men like the Chairman and the Vice Chairman to preserve a heritage of freedom, keenly understood the importance of service to one's nation. If confirmed, I will commit my utmost ability, integrity, and devotion to serving the President and the American people. Thank you again for the opportunity to appear before you today, and for your consideration of my nomination.

I would be pleased to respond to any questions you may have.

A. BIOGRAPHICAL INFORMATION

1. Name (Include any former names or nicknames used):

Current Name: Lily Fu Claffee
Former Names: Lily Fu (maiden name)
Lily Fu Swenson (name during prior marriage)

2. Position to which nominated: General Counsel of the United States Department of Commerce.
3. Date of Nomination: April 1, 2008.
4. Address (List current place of residence and office addresses):

Residence: Information not released to the public.

Office: Deputy General Counsel, United States Department of the Treasury, 1500 Pennsylvania Avenue NW, Washington, D.C. 20220.

5. Date and Place of Birth: November 22, 1969; Chicago, Illinois.
6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).

Spouse: Scott Andrew Claffee; Attorney, Mayer Brown LLP, 1909 K Street NW, Washington, D.C. 20006.
Children: None.

7. List all college and graduate degrees. Provide year and school attended.

University of Wisconsin—Madison, B.A. (1990) in Philosophy and English
University of Minnesota Law Center, J.D. (1993)

8. List all post-undergraduate employment, and highlight all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated.

Deputy General Counsel, United States Department of the Treasury, (September 2006–present).

Deputy Associate Attorney General, United States Department of Justice, (April 2005–September 2006).

Partner, Antitrust and Litigation Practice Groups, Mayer, Brown, Rowe & Maw, (January 2003–March 2005) (Hiring Partner, 2004–2005).

Associate, Mayer, Brown & Platt (1994–2002).

Judicial Clerk, Judge Michael S. Kanne, United States Court of Appeals for the Seventh Circuit (1993–1994).

Summer Associate, Mayer, Brown & Platt (1992, 1993).

Summer Associate, Gross & Welch (1991).

9. Attach a copy of your resume. A copy is attached.
10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last 5 years: None.
11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution within the last 5 years.

Partner, Mayer, Brown, Rowe & Maw (January 2003–March 2005).

12. Please list each membership you have had during the past 10 years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religious organization, private club, or other membership organization. Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or handicap.

Admitted to practice law in the District of Columbia (1996–present) and Illinois (1994–present).

St. Matthew's Cathedral (approx. 1996–present).

Old St. Mary's Catholic Church (approx. 2003–present).

John Carroll Society (various years since 1996).

American Enterprise Institute (various years since approx. 2000).

Heritage Foundation (various years since approx. 2000).

Federalist Society (various years since 1991).

Washington Sports Club (various years between approx. 1996 and 2000).

LA Sports Club DC (various years between approx. 2000 and 2006).

None of these organizations restricts membership on the basis of sex, race, color, religion, national origin, age or disability.

13. Have you ever been a candidate for and/or held a public office (elected, non-elected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt.

Deputy General Counsel, United States Department of the Treasury (September 2006–present) (appointed).

Deputy Associate Attorney General, United States Department of Justice (April 2005–September 2006) (appointed).

14. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $500 or more for the past 10 years. Also list all offices you have held with, and services rendered to, a state or national political party or election committee during the same period.

See records of the Federal Election Commission (retained in Committee files).

15. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements.

Recipient of full tuition scholarships for all 3 years of law school.

16. Please list each book, article, column, or publication you have authored, individually or with others. Also list any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed.

Balancing Antitrust Issues And Intellectual Property Rights: A Practical Guide For Biotech/Pharma Companies In Managing Their IP Portfolios, coauthored with Scott P. Perlman, Washington Legal Foundation (2003).

"High Crimes From Misdemeanors: The Collateral Use Of Prior, Uncounseled Misdemeanors Under The Sixth Amendment, *Baldasar,* And The Federal Sentencing Guidelines," 77 Minn. L. Rev. 165 (1992)

17. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date and subject matter of each testimony.

Presented oral and written testimony as Deputy Associate Attorney General at the Department of Justice before the House Subcommittee on Immigration, Border Security and Claims concerning Immigration Removal Procedures Implemented in the Aftermath of the September 11 Attacks (June 30, 2005).

18. Given the current mission, major programs, and major operational objectives of the department/agency to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?

The duties of my prior three jobs have prepared me and affirmatively qualify me for appointment to serve as the General Counsel of the Department of Commerce. As Deputy General Counsel of the Department of the Treasury, I currently serve as the principal assistant to the General Counsel, and am responsible for providing legal and policy advice to senior Treasury officials as well as overseeing the operation of a 2,000-attorney Legal Division. In this position, I have gained wide-ranging experience in leading and managing the work of a large legal organization charged with a vast array of programmatic responsibilities relating to the Federal Government's stewardship of U.S. economic and financial systems, and United States' participation in the global economy. I have developed a deep appreciation of the work done by the U.S. Government to strengthen national security by promoting economic growth and stability, and ensuring the safety, soundness and security of U.S. and international financial systems. At the Justice Department, I formulated and implemented legal policies and programs pertaining to a wide range of civil justice matters, and helped oversee the work of several civil litigating divisions, including the Antitrust and Civil Divisions. At both agencies, I gained valuable experience advising and representing Federal agencies and ensuring the effectiveness of large and diverse legal organizations. Finally, prior to entering government, I was a partner in a global law firm where I practiced in the areas of antitrust and litigation, and served as the hiring partner for the firm's 200-attorney Washington office. In that position, I managed teams of attorneys on numerous complex litigation matters, and gained valuable experience in legal recruiting, hiring and retention at various levels of seniority to build a legal organization's depth and strength, and to establish its reputation for excellence in the legal marketplace.

I am truly grateful to have been given the special privilege and responsibility of serving the Departments of the Treasury and Justice for the last 3 years. I believe that public service is a lawyer's highest calling. If confirmed by the Senate as Gen-

eral Counsel, I look forward to providing quality legal services and sound legal advice to enhance the Commerce Department's efforts to fulfill its mission to serve the American people.

19. What do you believe are your responsibilities, if confirmed, to ensure that the department/agency has proper management and accounting controls, and what experience do you have in managing a large organization?

If confirmed as General Counsel, I will continue to maintain the close working relationships with senior managers in the General Counsel's office that were established by my predecessors. As the Department's chief legal officer, I will exercise the oversight needed to ensure that sound, timely and appropriate legal advice is provided to support the effectiveness of Commerce programs, and to ensure that the organizational goals and objectives of the General Counsel's office are achieved. In addition to daily interaction with agency officials and with senior managers in the General Counsel's office, I will attend weekly Executive Management Team meetings under the direction of Secretary Gutierrez, conduct weekly meetings of senior managers in the Office of the General Counsel, and hold formal performance reviews throughout the year.

Through close scrutiny of the Department's legal operations and holding managers at all levels accountable for quality and results, the Office of the General Counsel will continue to strengthen all facets of its operations. I am committed to maintaining the Office's success as a performance-oriented organization, and to implementing further management reforms such as those established by the President's Management Agenda.

As described in my response to the previous question, I have extensive experience in managing large legal organizations. For the last year and half as Deputy General Counsel at Treasury, I have been responsible for my office's annual budget of $10 million (exclusive of bureaus), and have overseen the work of approximately 2,000 lawyers in 15 different legal offices that provide advice on myriad legal issues and policy considerations affecting the Treasury Department and its diverse programs. I directly supervise the offices of four Assistant General Counsels and three Tax Counsel; through these senior managers, I additionally supervise ten bureau Chief or Legal Counsels. As a Deputy Associate Attorney General, I oversaw the work of hundreds of attorneys in a variety of operating components and litigating divisions, including the Antitrust and Civil Divisions.

20. What do you believe to be the top three challenges facing the department/agency, and why?

Because I am not currently employed at the Commerce Department, my ability to know of the largest challenges facing the agency is limited. Therefore, while I cannot provide a comprehensive response at this time based on personal knowledge, I have reviewed public materials related to the Department, and have identified the following issues as important matters facing the Department:

Making the Transition to Digital Television. I understand that the National Telecommunications and Information Administration (NTIA) must play a crucial role in helping our Nation make the transition from analog to digital television. Under the Digital Television Transition and Public Safety Act of 2005, NTIA is responsible for establishing and managing several new programs, including, most notably, a grant program for public safety interoperable communications and a coupon program for television converter boxes. Because of the national scope and broad impact of these programs, one of the Department's highest priorities must be to ensure the success of these critical initiatives.

Development and Acquisition of Satellites. I understand that the National Oceanic and Atmospheric Administration (NOAA), in collaboration with the National Aeronautics and Space Administration (NASA) and the Air Force, is in the process of acquiring certain next-generation satellite systems. Because the accuracy of both routine and severe weather forecasts depends on NOAA's satellites, these systems are critically important to public safety and defense operations. Acquiring satellites is a long and complicated process involving both cutting-edge technical issues and large capital expenditures. Successful procurement of next-generation satellites is an important challenge facing the Department.

Success and Accuracy of the 2010 Census. I understand that ensuring the success and accuracy of the 2010 census—including successful management of the people, technology, testing and budgets involved—is a top priority of the Department. Every community in the United States is a stakeholder in the outcome of the census. Integral to the success of the census is the public's faith in the Census Bureau's ability to secure the information that is collected. The Department must discharge this important Constitutional responsibility by pro-

tecting the data that is gathered, implementing the most effective technologies, and improving the coverage and efficiency of the upcoming decennial census.

B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts.

I maintain an interest in a 401(k) savings plan established by my former law firm (now called Mayer Brown LLP). As disclosed in my financial disclosure form (see SF–278), my account is invested in diversified mutual funds. No contributions have been, or will be, made to this account after the termination of my employment in April 2005.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association or other organization during your appointment? If so, please explain: None.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated: See ethics agreement.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated: None.

5. Describe any activity during the past 10 years in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy: None.

6. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items: See ethics agreement.

C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, please explain: No.

Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? If so, please explain: No.

3. Have you or any business of which you are or were an officer ever been involved as a party in an administrative agency proceeding or civil litigation? If so, please explain.

I was the defendant in *Swenson* v. *Swenson*, D.C. Superior Court No. 3–dr–409, an uncontested divorce case. The court entered a mutually-agreed upon order of divorce on March 5, 2003.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain: No.

5. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain: No.

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination: None.

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by Congressional committees? Yes.

2. Will you ensure that your department/agency does whatever it can to protect Congressional witnesses and whistle blowers from reprisal for their testimony and disclosures? Yes.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee? Yes.

4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so? Yes.

RESUME OF LILY FU CLAFFEE

Legal Experience

United States Department of the Treasury, Washington, D.C., 2006 to date, Deputy General Counsel.

United States Department of Justice, Washington, D.C., 2005–2006, Deputy Associate Attorney General.

Mayer, Brown, Rowe & Maw LLP, Washington, D.C., 1996–2005; Chicago, IL, 1994–1996; Partner, Litigation and Antitrust Practice Groups, 2003–2005; Hiring Partner, 2004–2005.

The Honorable Michael S. Kanne, United States Court of Appeals for the Seventh Circuit, 1993–1994, Judicial Clerk.

Education

University of Minnesota Law School, Minneapolis, MN.

Juris Doctor, *cum laude*, 1993.
Managing Editor, *Minnesota Law Review,* 1992–1993; Full Merit Scholarship, 1990–1993; Vice-President, Federalist Society, 1992–1993.

University of Wisconsin, Madison, WI.

Bachelor of Arts, with distinction, 1990.
Philosophy and English Literature.

Publications

Balancing Antitrust Issues And Intellectual Property Rights: A Practical Guide For Biotech/Pharma Companies In Managing Their IP Portfolios, coauthored with Scott P. Perlman, Washington Legal Foundation (2003); "High Crimes From Misdemeanors: The Collateral Use Of Prior, Uncounseled Misdemeanors Under The Sixth Amendment, *Baldasar,* And The Federal Sentencing Guidelines," 77 Minn. L. Rev. 165 (1992).

Personal

Born in Chicago, IL; November 22, 1969.
Speak fluent Chinese (Cantonese).
Admitted to practice in Illinois (1994) and the District of Columbia (1996).

Senator STEVENS. Well, thank you very much. I'm sad that there's not more members here today for this, to hear your statement. There are at least two mark-ups, plus a debate, going on on the Floor. So it's just not possible, but I'm heartwarmed by your comment about your father and look forward to working with you.

Our next witness is Dr. William Brennan, Assistant Secretary for Oceans and Atmosphere at the Department of Commerce.

Mr. Brennan, as I indicated, we're going to put in the record the statement Senator Snowe would make if she were here. No, Senator Collins would make, pardon me, Senator Collins. I guess it's both would make.

[The prepared statement of Senator Collins follows:]

PREPARED STATEMENT OF HON. SUSAN M. COLLINS, U.S. SENATOR FROM MAINE

Thank you, Mr. Chairman. It is my privilege today to introduce Dr. William Brennan, the President's nominee to be the Assistant Secretary of Commerce for Oceans and Atmosphere. The people of Maine are proud of Dr. Brennan's distinguished career of public service and record of accomplishment in Maine and in Washington.

Dr. Brennan's commitment to public service and his extensive experience in environmental science and oceans management make him an excellent nominee. From his start as a merchant seaman to his experience as a NOAA fisheries scientist to his important work as Acting Director of the U.S. Climate Change Science Program, Dr. Brennan, if confirmed, will provide strong leadership as Assistant Secretary.

I know this because I had the distinct pleasure of serving with Dr. Brennan in Maine in Governor John McKernan's Cabinet for many years. Dr. Brennan was appointed to a Cabinet position as the Commissioner of Maine's Department of Marine Resources in 1987. I can personally attest to Dr. Brennan's dedication and skill in managing one of Maine's most complex natural resources.

Prior to our working together, Dr. Brennan earned undergraduate and graduate degrees in marine biology and marine affairs from the University of Maine and the University of Rhode Island. He also served on Capitol Hill on the staff of Representative John McKernan, and later, as I previously mentioned, in Governor McKernan's Cabinet.

After leaving state government in 1995, Dr. Brennan opened a private consulting firm providing guidance on marine and environmental policy to businesses and governments. Over this same period, he was appointed to an academic chair position and lectured on ocean governance and resource management at the Corning School of Ocean Studies at the Maine Maritime Academy. Dr. Brennan later went on to receive his Ph.D. in ecology and environmental sciences from the University of Maine.

Having served as the Deputy Assistant Secretary of Commerce for International Affairs since 2002, Dr. Brennan well understands the challenges facing the position of Assistant Administrator at NOAA. His management of the U.S. Climate Change Science Program, which coordinates and integrates scientific research on climate change across 13 Federal agencies, also lends itself well to the skills needed to address the particular challenges associated with this position.

From NOAA's development and acquisition of geostationary and polar weather and climate satellite systems, to advancing the Agency's mission to educate society about the importance of climate change science and research, to the successful implementation of the Magnuson Stevens Act amendments, Dr. Brennan is well-suited to successfully carry out the duties of the Assistant Secretary position.

Mr. Chairman, I strongly endorse William Brennan's nomination to be the Assistant Secretary of Commerce for Oceans and Atmosphere and enthusiastically recommend him to this Committee.

STATEMENT OF DR. WILLIAM J. BRENNAN, NOMINEE TO BE ASSISTANT SECRETARY FOR OCEANS AND ATMOSPHERE UNITED STATES DEPARTMENT OF COMMERCE

Dr. BRENNAN. Thank you very much, sir. Mr. Vice Chairman, I am honored to appear before you today as the President's nominee to be the next Assistant Secretary of Commerce for Oceans and Atmosphere.

I'm grateful and honored that the President has given me this opportunity to continue serving the American people, and I am deeply appreciative of the confidence and support that has been shown in me by Secretary Gutierrez and Under Secretary Lautenbacher.

I would like to thank this Committee and particularly its staff for the courtesies they have extended to me throughout this process.

Mr. Vice Chairman, I would not be here today were it not for my family and I would like to acknowledge them. Their support and encouragement has sustained me over the years and I wish to recognize and thank my wife Heather and daughter Hayley who are here with me today and my sons Will and Tyler who could not join us but are with me in spirit.

Let me begin, Mr. Vice Chairman, by stating my strong commitment to the core mission of the department; namely, to serve the American people by helping to create the right conditions for economic growth and expanded opportunity.

The Commerce Department and the National Oceanic and Atmospheric Administration address a wide range of important challenges each and every day. Our work takes place on a global basis, from marine fisheries and the Weather Service to other numerous scientific, environmental, technological and economic endeavors.

The department's Assistant Secretary for Oceans and Atmosphere serves as NOAA's deputy administrator, helping to oversee

its 12,500 employees and $4 billion budget. Indeed, one of the assistant secretary's important roles is to serve as the NOAA Administrator's primary advisor and surrogate and as an advocate for NOAA's programs and the development of the president's budget.

With the support of this Committee and the hard-working men and women of NOAA, I am confident I can maintain the high standards set by my predecessors and support Secretary Gutierrez's commitment to excellence.

If confirmed by the Senate, I would bring valuable experience and knowledge to the Office of Assistant Secretary for Oceans and Atmosphere. For the past 6 years, I have served as the Deputy Assistant Secretary for International Affairs, providing vision and strategic management of NOAA's $100 million international program and special projects related to weather and water, ecosystem and marine resource management, commerce and transportation and climate services.

For the past 2 years, I have also served in an acting capacity as the Director of the Climate Change Science Program, managing the interagency effort that integrates the planning of and $2 billion budget for Federal climate and global change activities of 13 Federal scientific agencies.

I began my career in the Merchant Marine and as a commercial fisherman. Through that experience, I realized a love of the ocean, of the things that live in it and are supported by it, and in the rigors of a life associated with making a living from it.

In the three decades since I took my first job with NOAA as a GS–5 technician at the National Marine Fisheries Service Laboratory in Woods Hole, Massachusetts, I have dedicated myself to environment and natural resource stewardship. I have served as a legislative assistant in the U.S. House of Representatives, working on fisheries and environmental issues.

I have been a cabinet officer, heading the State of Maine's Department of Marine Resources. I have worked in the private sector providing environmental policy advice to public and private sector clients, and I have been a college professor, teaching and mentoring students in the field of ocean governance and resource management.

Over the years, I have been in and out of government as an employee of NOAA, a NOAA contractor, a NOAA partner during my time as a member of the New England Fishery Management Council, and as a customer of NOAA when I was a state cabinet official.

For the last several years, I've been part of NOAA's senior leadership and I have been privileged to help Vice Admiral Lautenbacher work to transform the agency into a cohesive enterprise.

In these varied roles, I believe I have developed the skills and experience necessary to address the challenges and opportunities facing NOAA. I also recognize that I have much to learn about facets of the agency that I have not worked with on a regular basis.

As I look forward to this continued education, I know that I will be well supported by the talented staff and employees and other professionals within NOAA. I am confident that with their support, I will perform my duties with the skill and professionalism that the public expects and deserves.

If confirmed, there would be no more significant honor and capstone to my career than to serve as the Deputy Administrator of NOAA, and let me conclude by stating that it is my firm conviction that stewardship through public service is a special privilege and responsibility.

If confirmed, I will commit my utmost energies, integrity and devotion to serving the American people.

I want to thank you again for the opportunity to appear before you today and for your consideration of my nomination. I stand ready to answer your questions, sir.

[The prepared statement and biographical information of Dr. Brennan follow:]

PREPARED STATEMENT OF DR. WILLIAM J. BRENNAN, NOMINEE TO BE ASSISTANT SECRETARY FOR OCEANS AND ATMOSPHERE, UNITED STATES DEPARTMENT OF COMMERCE

Mr. Chairman, Mr. Vice Chairman, Members of the Committee,

I am honored to appear before you today as the President's nominee to be the next Assistant Secretary of Commerce for Oceans and Atmosphere. I am grateful and honored that the President has given me this opportunity to continue serving the American people, and I am deeply appreciative of the confidence and support shown to me by Secretary Gutierrez and Under Secretary Lautenbacher. I would also like to thank this Committee and its staff for the courtesies they have extended to me throughout this process.

Mr. Chairman, I would not be here today were it not for my family and I would like to acknowledge them—their support and encouragement has sustained me over the years and I wish to recognize and thank my wife Heather and daughter Hayley who are with me today and my sons Will and Tyler who could not join us but who are with me in spirit.

Let me begin by stating my strong commitment to the core mission of the Department, namely, to serve the American people by helping to create the right conditions for economic growth and expanded opportunity. The Commerce Department and the National Oceanic and Atmospheric Administration (NOAA) address a wide range of important challenges each and every day. Our work takes place on a global basis—from marine fisheries and the weather service to other numerous scientific, environmental, technological, and economic endeavors.

The Department's Assistant Secretary for Oceans and Atmosphere serves as NOAA's Deputy Administrator, helping to oversee its 12,500 employees and $4 billion budget. Indeed, one of the Assistant Secretary's important roles is to serve as the NOAA Administrator's primary advisor and surrogate and as an advocate for NOAA's programs in the development of the President's budget. With the support of this Committee, and the hardworking men and women of the NOAA, I am confident I can maintain the high standards set by my predecessors and support Secretary Gutierrez's commitment to excellence.

If confirmed by the Senate, I would bring valuable experience and knowledge to the office of Assistant Secretary for Oceans and Atmosphere. For the past 6 years, I have served as the Deputy Assistant Secretary for International Affairs—providing vision and strategic management of NOAA's $100 million international program and special projects related to weather and water, ecosystem and marine resource management, commerce and transportation, and climate services. For two of the past 6 years I have also served in an acting capacity as the Director of the Climate Change Science Program, managing the interagency effort that integrates the planning of and $2 billion budget for Federal climate and global change activities of 13 Federal scientific agencies.

I began my career in the Merchant Marine and as a commercial fisherman. Through that experience, I realized a love of the ocean, of the things that live in it and are supported by it, and in the rigors of a life associated with making a living from it. In the three decades since I took my first job with NOAA as a GS–5 technician at the National Marine Fisheries Service laboratory in Woods Hole, Massachusetts, I have dedicated myself to environment and natural resource stewardship. I have served as a Legislative Assistant in the U.S. House of Representatives working on fisheries and environmental issues. I have been a Cabinet Officer heading the State of Maine's Department of Marine Resources. I have worked in the private sec-

tor providing environmental policy advice to private and public sector clients. And, I have been a college professor, teaching and mentoring students in the field of ocean governance and resource management.

Over the years, I have been in and out of government as an employee of NOAA, a NOAA contractor, a NOAA partner during my time as a member of the New England Fishery Management Council, and as a customer of NOAA when I was a state cabinet official. For the last several years, I have been part of NOAA's senior leadership and I have been privileged to help VADM Lautenbacher work to transform the agency into a cohesive enterprise. In these varied roles, I believe I have developed the skills and experience necessary to address the challenges and opportunities facing NOAA. I also recognize that I have much to learn about facets of the Agency that I have not worked with on a regular basis. As I look forward to this continued education, I know that I will be well supported by the deep and talented staff of career employees and other professionals within NOAA. I am confident that, with their support, I will perform my duties with the skill and professionalism that the public, expects and deserve.

If confirmed, there would be no more significant honor and capstone to my career than to serve as the Deputy Administrator of NOAA and let me conclude by stating that it is my firm conviction that stewardship through public service is a special privilege and responsibility. If confirmed, I will commit my utmost energies, integrity, and devotion to serving the American people. Thank you again for the opportunity to appear before you today, and for your consideration of my nomination.

I would be pleased to respond to any questions that you may have for me.

A. BIOGRAPHICAL INFORMATION

1. Name (Include any former names or nicknames used): William Joseph Brennan (Bill).

2. Position to which nominated: Assistant Secretary of Commerce for Oceans and Atmosphere.

3. Date of Nomination: January 22, 2008.

4. Address (List current place of residence and office addresses):

Residence: Information not released to the public.

Office: United States Department of Commerce, 1401 Constitution Ave, N.W., Room 6224, Washington, D.C. 20230.

5. Date and Place of Birth: 12/02/1951; Rhode Island.

6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).

Heather Russell Brennan (spouse); children: William Russell Brennan—24; Tyler Mackintosh Brennan—22; Hayley Julia Brennan—19.

7. List all college and graduate degrees. Provide year and school attended.

University of Maine, B.S., 1977.

University of Rhode Island, M.A., 1985.

University of Maine, Ph.D., 2002.

8. List all post-undergraduate employment, and highlight all management- level jobs held and any non-managerial jobs that relate to the position for which you are nominated.

6/2006–Present; Director, U.S. Climate Change Science Program (Acting), (Management level).

6/2002–Present; Deputy Assistant Secretary of Commerce for International Affairs, (Management level).

9/1999–2002; Professor, Corning School of Ocean Studies, Maine Maritime Academy, (Management level).

1995–2002; Consultant, W.J. Brennan Associates, (Management level).

1987–1995; Commissioner, Maine Department of Marine Resources, (Management level).

1983–1987; Senior Legislative Assistant, U.S. House of Representatives, (Management level).

1982–1983; Consultant, Atlantic Offshore Fishermen's Association, (Non-managerial).

1977–1982; Marine technician and scientist, National Marine Fisheries Service, (Non-managerial).

9. Attach a copy of your resume. A copy is attached.

10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last 5 years: None.

11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution within the last 5 years: None.

12. Please list each membership you have had during the past 10 years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religious organization, private club, or other membership organization. Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization, restricts membership on the basis of sex, race, color, religion, national origin, age, or handicap: None.

13. Have you ever been a candidate for and/or held a public office (elected, non-elected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt.

Deputy Assistant Secretary of Commerce (2002—present) (No debt or personal liability).

14. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $500 or more for the past 10 years. Also list all offices you have held with, and services rendered to, a state or national political party or election committee during the same period: None.

15. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements: None.

16. Please list each book, article, column, or publication you have authored, individually or with others. Also list any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed.

November 5, 2002, *Climate Change and Utilization of Marine Resources: The Importance of Enhancing the Global Climate Observing System,* 10th Anniversary Conference of the Marine Institute of Ireland, Dublin, Ireland.

February 3, 2003, *U.S. Efforts for Sustainable Fisheries,* The Norwegian Research & Technology Forum in the U.S./Canada, Washington, D.C.

June 11, 2003, *Exploring Our Oceans—The International Perspective,* Capitol Hill Oceans Week Symposium, Washington, D.C.

July 14, 2003, *Association of Marine Laboratories of the Caribbean,* 31st Scientific Meeting, Port of Spain, Trinidad.

August 21, 2003, *Developing Countries and the Restoration of Large Marine Ecosystems,* UNIDO Symposium, Vienna, Austria.

November 12, 2003, *U.S. Implementation of World Summit on Sustainable Development Commitments,* Global Conference on Oceans, Coasts and Islands, Paris, France.

December 4, 2003, *U.S. Activities on Climate Change,* 9th Conference of the UNFCCC Parties, Milan, Italy.

January 28, 2004, *International Perspectives on Coordination of Earth Observation Activities,* Toronto, Canada.

May 3, 2004, *U.S. Commitments to World Summit Goals for Sustainable Development,* Fourth World Fisheries Congress, Vancouver, Canada.

June 2, 2004, *GISD: Employing Earth Observations for the Benefit of Humankind,* Geographic Information for Sustainable Development Implementation Workshop, Washington, D.C.

June 8, 2004, *Keynote Address,* 30th Commemorative Meeting, Poland-U.S. Joint Cooperative Fisheries, Narragansett, RI.

October 5, 2004, *The International Effort to Coordinate Earth Observation Activities,* International Astronautical Congress, Vancouver, Canada.

June 6, 2005, *Moving Toward a Global All Hazards Warning System,* Asia Pacific Tsunami and All Hazards Workshop, Honolulu, HI.

November 21, 2005, *GEOSS: Serving Society from Tsunami to Multi-Hazard,* Intergovernmental Oceanographic Commission, Rome, Italy.

March 28, 2006, *Global Earth Observation System of Systems,* International Air Show, Santiago, Chile.

May 11, 2006, *NOAA's Role in International Science Partnerships,* National Science Board, Washington, D.C.

July 13, 2006, *Law, Science and Ocean Management,* 30th Virginia Law of the Sea Conference, Dublin, Ireland.

April 26, 2007, *Climate Change in the Northwest Atlantic,* Center for Law & Innovation, Portland, Maine.

June 5, 2007, *Keynote Address,* 24th Annual Meeting of the North Atlantic Salmon Conservation Organization, Bar Harbor, Maine.

17. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date and subject matter of each testimony.

February 7, 2007, Oversight Hearing, Climate Change Research and Scientific Integrity, Committee on Commerce, Science and Transportation, U.S. Senate.

18. Given the current mission, major programs, and major operational objectives of the department/agency to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?

I have dedicated myself to environment and natural resource stewardship. I began my career more than 30 years ago with NOAA Fisheries at its Woods Hole laboratory after working in the commercial fisheries and the merchant marine. Over the years, I have worked in both the legislative and executive branches at both the state and Federal level and have been in and out of government as an employee of NOAA, a NOAA contractor, a NOAA partner during my time as a member of the New England Fishery Management Council, and as a customer of NOAA when I was a state cabinet official heading the Maine Department of Marine Resources. For the last several years, I have been part of the NOAA senior leadership and have been privileged to help VADM Lautenbacher transform the agency into a well managed cohesive enterprise. I can think of no more significant honor and cap stone to my career than to serve as the number two NOAA official and I believe my 30 years of experience with NOAA affirmatively qualifies me for appointment to this position.

19.What do you believe are your responsibilities, if confirmed, to ensure that the department/agency has proper management and accounting controls, and what experience do you have in managing a large organization?

If confirmed as Assistant Secretary, I will work closely with NOAA Administrator Lautenbacher, NOAA's Executive Management Council, NOAA's Chief Operating Officer, and NOAA's Line Office Assistant Administrators to exercise the oversight necessary to ensure that NOAA programs are effective and that NOAA's organizational goals and objectives are achieved. I will continue to advance the reforms established by Administrator Lautenbacher associated with planning, programming, budgeting and execution. And I will be a strong advocate, with the Department, OMB and the Congress to ensure NOAA has the resources necessary to accomplish its mission.

I have extensive experience managing a large organization. As acting Director of the U.S. Climate Change Science Program, I have provided leadership and vision for a $1.8 billion program integrating Federal climate and global change activities of 13 Federal agencies and White House offices. During my time as Deputy Assistant Secretary for International Affairs, I have been responsible for the strategic management and organizational restructuring of a $100 million international program. And, as the secretary of a cabinet-level state agency, I have managed a complex and diverse program of research, enforcement, development, marketing, monitoring, and education.

20.What do you believe to be the top three challenges facing the department/agency, and why?

Development and acquisition of satellites. NOAA is in the process of acquiring its next generation geostationary and polar satellite systems. These systems are crucial to our nation's ability to forecast weather and vital to public safety and to our nation's military. For the next generation polar satellite program, NOAA along with its interagency partners, the USAF and NASA, has experienced significant technical and management challenges, while the next generation geostationary satellite program has just transitioned from the design to the acquisition phase. These are very complicated and extremely expensive systems, requiring long lead times to ensure

continuity of data and information, making this one of NOAA's most important challenges.

Global change science and research. NOAA is charged with helping society understand, plan for, and respond to climate variability and change. This is achieved through the development and delivery of climate information services, the implementation of a global observing system, and focused research and modeling to understand key climate processes. The NOAA climate mission is focused on providing a predictive understanding of the global climate system so the public can incorporate the information and products into their decisions.

NOAA meets user demands for climate information and decision support by providing data, summaries, and forecasts, underpinned by a vigorous research program. In recent years, users have voiced a growing concern about the impacts of climate change. These demands are growing and require unbiased climate information at increasingly finer resolution scales. A key challenge for NOAA is to enhance its ability to meet these demands by continuing strong science and observations programs while consolidating information sources into a homogeneous distribution portal, providing more variables, fidelity, and resolution to its climate products and information services.

Implementation of Magnuson Stevens Act Amendments. The recent reauthorization of the Magnuson Stevens Fishery Conservation and Management Act was a significant achievement for both Congress and the Administration, made possible by the leadership of Chairman Inouye and Vice-Chairman Stevens. The Act provided NOAA with several new authorizations, including the need to end overfishing immediately and combat Illegal, Unregulated and Unreported fishing. Fully implementing the amendment present challenges, both domestically and internationally, and NOAA is presently working to develop regulations to implement the provisions of the Act and is actively engaged within the Regional Fishery Management Organization fora to bring about the necessary changes.

B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts: None.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association or other organization during your appointment? If so, please explain: None.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated: See ethics agreement.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated: None.

5. Describe any activity during the past 10 years in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy: None.

6. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items: See ethics agreement.

C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, please explain: No.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? If so, please explain: No.

3. Have you or any business of which you are or were an officer ever been involved as a party in an administrative agency proceeding or civil litigation? If so, please explain: No.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain: No.

5. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain: No.

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination: None.

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by Congressional committees? Yes.
2. Will you ensure that your department/agency does whatever it can to protect Congressional witnesses and whistle blowers from reprisal for their testimony and disclosures? Yes.
3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee? Yes.
4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so? Yes.

RESUME OF DR. WILLIAM JOSEPH BRENNAN

Experience

6/2006–Present, Director, U.S. Climate Change Science Program (Acting).

Direct the interagency program that coordinates and integrates scientific research on changes in climate and related systems. The Climate Change Science Program is composed of 13 Federal scientific agencies and integrates the planning of and $2 billion budget for Federal climate and global change activities.

6/2002–Present, Deputy Assistant Secretary of Commerce for International Affairs.

Direct the international activities of the National Oceanic and Atmospheric Administration (NOAA) and its subsidiary branches; Weather Service, Fisheries Service, Ocean Service, Satellite and Data Information Service, and Oceanic and Atmospheric Research in support of a $100 million program related to weather and water, ecosystem and marine resource management, commerce and transportation, and climate services.

9/1999–2002, Professor, Corning School of Ocean Studies, Maine Maritime Academy.

Appointed to academic chair as lecturer in the field of ocean governance and resource management. Managed a research grant program and conducted special projects for the President in program and curriculum development.

1995–2002, Consultant, W.J. Brennan Associates.

Principal in consulting firm providing policy and strategic planning advice to private and public sector domestic and international clients with a focus on fisheries, marine, and environmental affairs.

1987–1995, Commissioner, Maine Department of Marine Resources.

Cabinet officer in administration of Governor John R. McKernan, Jr. and chief executive officer of state agency engaged in fisheries and marine research, enforcement, development, marketing, monitoring, and education. State resource management representative in regional, national, and international fora.

1983–1987, Senior Legislative Assistant, U.S. House of Representatives.

Managed legislative activities in office of Congressman John McKernan, Jr. with professional focus in the areas of fisheries, environment, merchant marine, transportation, and energy.

1982–1983, Consultant, Atlantic Offshore Fishermen's Association.

Grant writing and research proposal development for New England-wide commercial fishing organization.

1977–1982, Marine Scientist, National Marine Fisheries Service.

Positions of increasing levels of responsibility within the field of fisheries and environmental research at the Woods Hole, MA; Narragansett, RI; and Sandy Hook, NJ research stations.

Education

Ph.D., University of Maine, May 2002 (Ecology & Environmental Sciences).
M.A., University of Rhode Island, 1985 (Marine Affairs).

B.S., University of Maine, 1977 (Marine Biology).

Senator STEVENS. Thank you. I wish there had been more people here to have heard your statement.

As one who sort of is involved with the oceans, also, I welcome your experience and your know-how to this position in NOAA. We look forward to working with you and I will recommend to the Chairman that we try to have a meeting of the Committee and report these nominations out so they might be confirmed just as quickly as possible.

Thank you very much. Thank you, both.

Ms. CLAFFEE. Thank you, sir.

Dr. BRENNAN. Thank you.

[Whereupon, at 2:42 p.m., the hearing was adjourned.]

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